

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/23/20

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

EVERCORN, INC.,

Plaintiff,

- against -

M/V ELSABETH C and MELTEMI SHIPPING
LTD TRUST COMPANY COMPLEX,

Defendants.

20 Civ. 3024 (LLS)

ORDER

Plaintiff filed its complaint on April 15, 2020.

Rule 4(m) of the Federal Rules of Civil Procedure provides, in pertinent part:

If a defendant is not served within 90 days after the complaint is filed, the court—on motion or on its own after notice to the plaintiff—must dismiss the action without prejudice against that defendant or order that service be made within a specified time. But if the plaintiff shows good cause for the failure, the court must extend the time for service for an appropriate period.

The 90-day deadline expired on July 14, 2020. To date, plaintiff has not filed proof with the court that either of the defendants has been served.

Accordingly, unless within fourteen days from the date of this order plaintiff files an affidavit showing that each defendant has been served or shows good cause for its failure to do so, this action will be dismissed without prejudice against

any defendant who has not been served.

So ordered.

Dated: New York, New York
July 23, 2020

Louis L. Stanton
LOUIS L. STANTON
U.S.D.J.